

**FULL PUBLIC NOTICE FOR  
APPOINTMENT OF NEW MAGISTRATE JUDGE IN MARSHALL, TEXAS**

This is a notice regarding the appointment of a new full-time United States magistrate judge for the Eastern District of Texas in Marshall. The new judge will replace the Hon. Charles E. (“Chad”) Everingham, who is stepping down from the bench on September 30, 2011. Although this position is contingent on the approval of the Fifth Circuit Judicial Council and the Judicial Conference of the United States, the court anticipates that those approvals will be forthcoming within a reasonable amount of time.

The duties of the position are demanding and wide-ranging. They include conducting (1) most preliminary proceedings in criminal cases; (2) trial and disposition of misdemeanor cases; (3) various pretrial matters and evidentiary proceedings on delegation from a district judge; and (4) trial and disposition of civil cases upon consent of the litigants. The basic authority of a United States magistrate judge is specified in 28 U.S.C. § 636.

To be qualified for appointment an applicant must:

- (1) Be, and have been for at least five years, a member in good standing of the bar of the highest court of a state, the District of Columbia, the Commonwealth of Puerto Rico, the Territory of Guam, the Commonwealth of the Northern Mariana Islands, or the Virgin Islands of the United States, and have been engaged in the active practice of law for a period of at least five years (with some substitutes authorized);
- (2) Be competent to perform all the duties of the office; be of good moral character; be committed to equal justice under the law; be patient and courteous; and be capable of deliberation and decisiveness;
- (3) Be less than seventy years old; and
- (4) Not be related to a judge of the district court.

A merit selection panel composed of attorneys and other members of the community will review all applicants and recommend to the district judges in confidence the five persons it considers best qualified. The court will make the appointment following an FBI full-field investigation and an IRS tax check of the applicant selected by the court for appointment. An affirmative effort will be made to give due consideration to all qualified applicants without regard to race, color, age (40 and over), gender, religion, national origin, or disability. The current annual salary of the position is \$160,080. The term of office is eight years.

Application forms and more information on the magistrate judge position in this court may be obtained from: David J. Maland, U.S. District Clerk, 106 Steger U.S. Courthouse, 211 W. Ferguson St., Tyler, TX 75702. The form is also available on the court’s Internet website at [www.txed.uscourts.gov](http://www.txed.uscourts.gov). Applications must be submitted only by applicants personally and **must be received by 5 p.m. Friday, July 22, 2011.**

All applications will be kept confidential, unless the applicant consents to disclosure, and all applications will be examined only by members of the merit selection panel and the judges of the district court. The panel's deliberations will remain confidential.